

Application No. 10/521,296  
March 6, 2009

Attorney Docket No. LB/G-32982A/Lek  
LNG File No. 64061.US/ C-6710.0

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): VUKMIROVIC, Andreja, et al.  
Application No.: 10/521.296  
PCT Filing Date: November 8, 2002  
Section 371 Date: May 24, 2005  
Confirmation No.: 9213  
Title: Stable Pharmaceutical Composition Comprising Erythropoietin  
Examiner: Nannette Holloman  
Group Art Unit: 1612

TERMINAL DISCLAIMER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Lek Pharmaceuticals d.d., a company organized under the laws of Slovenia, having a place of business at Verovskova 57, 1526 Ljubljana, Slovenia, represents that it is the assignee and owner of the entire interest in the above-identified application by virtue of an assignment which is recorded in the United States Patent and Trademark Office at Reel / Frame #: 020501/ 0382.

Lek Pharmaceuticals d.d. hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application which would extend beyond the expiration date of the full statutory term defined in 35 USC § 154 – 156 and § 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application No. 10/521,298.

Application No. 10/521,296  
March 6, 2009

Said Application No. 10/521,298 is also assigned to Lek Pharmaceuticals d.d. by virtue of an assignment which is also recorded in the United States Patent and Trademark Office at Reel / Frame #: 020501/ 0382. A copy of the Patent Assignment Abstract of Title for both applications is attached hereto.

Lek Pharmaceuticals d.d. hereby agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that it and any patent granted on Application No. 10/521,298 are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Lek Pharmaceuticals d.d. does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 USC § 154 – 156 and § 173 of any patent granted on Application No. 10/521,298, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

A terminal disclaimer fee under 37 CFR § 1.20(d) be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

LUEDEKA, NEELY & GRAHAM, P.C.

By: /J. David Gonce/

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## Assignments on the Web &gt; Patent Query

## Patent Assignment Abstract of Title

***NOTE: Results display only for issued patents and published applications.  
For pending or abandoned applications please consult USPTO staff.***

## Total Assignments: 1

Patent #: NONE      Issue Dt:      Application #: 10521296      Filing Dt: 05/24/2005  
Publication #: 20050238720      Pub Dt: 10/27/2005  
Inventors: Andreja Vukmirovic, Tanja Rozman Peterka, Jelka Svetek, Alenka Paris  
Title: Stable pharmaceutical composition comprising erythropoietin

## Assignment: 1

Reel/Frame: 020501/0382      Recorded: 02/13/2008      Pages: 4

Conveyance: ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).

Assignors: VUKMIROVIC, ANDREJA

Exec Dt: 12/21/2004

PETERKA, TANJA ROZMAN

Exec Dt: 01/18/2005

SVETEK, JELKA

Exec Dt: 12/20/2004

PARIS, ALENKA

Exec Dt: 12/20/2004

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## Total Assignments: 1

Patent #: NONE      Issue Dt:      Application #: 10521298      Filing Dt: 05/24/2005  
Publication #: 20050202091      Pub Dt: 09/15/2005  
Inventors: Andreja Vukmirovic, Tanja Rozman Peterka, Jelka Svetek, Alenka Paris  
Title: STABLE PHARMACEUTICAL COMPOSITION COMPRISING ERYTHROPOIETIN

## Assignment: 1

Reel/Frame: 020501/0382      Recorded: 02/13/2008      Pages: 4

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